

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RAYMOND BRIAN RUIZ,

Plaintiff,

v.

SNOHOMISH COUNTY JAIL, *et al.*,

Defendants.

CASE NO. C15-1370-TSZ-JPD

REPORT AND RECOMMENDATION

On August 26, 2015, plaintiff Raymond Ruiz submitted to the Court for filing a prisoner civil rights complaint under 42 U.S.C. § 1983 and an application to proceed with this action *in forma pauperis*. (*See* Dkt. 1.) However, plaintiff failed to submit the proper *in forma pauperis* application form for a prisoner civil rights action. Accordingly, the Clerk sent plaintiff a letter advising him that his submission was deficient and that he would have to submit the proper form on or before September 25, 2015, or risk dismissal of this action. (Dkt. 2.) The Clerk also sent plaintiff the appropriate *in forma pauperis* application form to complete. (*See* Dkt. 2.) To date, plaintiff has not submitted a proper application for leave to proceed with this action *in forma pauperis*.

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1 As plaintiff has had ample time to submit a corrected *in forma pauperis* application, but
2 has failed to do so, this Court recommends that the instant action be dismissed without prejudice
3 for failure to prosecute. A proposed order accompanies this Report and Recommendation.

4 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
5 served upon all parties to this suit by no later than **October 20, 2015**. Failure to file objections
6 within the specified time may affect your right to appeal. Objections should be noted for
7 consideration on the District Judge's motion calendar for the third Friday after they are filed.
8 Responses to objections may be filed within **fourteen (14)** days after service of objections. If no
9 timely objections are filed, the matter will be ready for consideration by the District Judge on
10 **October 23, 2015**.

11 This Report and Recommendation is not an appealable order. Thus, a notice of appeal
12 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
13 assigned District Judge acts on this Report and Recommendation.

14 DATED this 29th day of September, 2015.

15 

16 JAMES P. DONOHUE
17 Chief United States Magistrate Judge